

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

RICHARD WALKER,

Plaintiff,

CIVIL ACTION NO.
3:20-cv-773

v.

ALLIANCE OUTDOOR GROUP, INC., and
ALLIANCE OUTDOORS PRODUCTS, INC.,
d/b/a X-STAND TREESTANDS,

Defendants.

DEPOSITION UPON ORAL EXAMINATION
OF ANTHONY OVERBAUGH,
TAKEN ON BEHALF OF THE PLAINTIFF

Winchester, Virginia

September 16, 2021

EXHIBIT

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<p style="text-align: right;">Page 37</p> <p>1 MR. SUTTON: Objection, foundation. And to</p> <p>2 form. No, AOG does not -- to my knowledge, AOG does</p> <p>3 not own Sniper.</p> <p>4 MR. KILDUFF: Okay.</p> <p>5 MR. SUTTON: That's my understanding.</p> <p>6 BY MR. KILDUFF:</p> <p>7 Q. Let me just ask Mr. Overbaugh. What is</p> <p>8 your understanding about Sniper?</p> <p>9 A. I'd be speculating on who owns it.</p> <p>10 Q. Okay. Are you familiar with the</p> <p>11 manufacturer of -- who's actually the Chinese</p> <p>12 manufacturer of the Silent Adrenaline tree stand?</p> <p>13 A. I am -- I have some familiarity with some</p> <p>14 of the manufacturers.</p> <p>15 Q. Okay. We had been told that the</p> <p>16 manufacturer of the tree stand from 2015 to 2017 was</p> <p>17 Yangzhou -- Y-A-N-G-Z-H-O-U -- Chaorui -- C-H-A-O-R-U-I</p> <p>18 -- Auto Parts Company, Ltd. Are you familiar with that</p> <p>19 particular company?</p> <p>20 A. I do not know that name. That name -- I</p> <p>21 can't place that name.</p> <p>22 Q. And that the current manufacturer, at least</p> <p>23 for 2018 through 2020, was Yangzhou Superman Sporting</p> <p>24 Equipment Company, Ltd. Do you know anything about</p> <p>25 that particular company?</p>	<p style="text-align: right;">Page 39</p> <p>1 What was your practice about going to China to visit</p> <p>2 the factories?</p> <p>3 A. Can you be a little more specific?</p> <p>4 Q. Yeah. I mean what would lead you to go to</p> <p>5 China to go to a factory?</p> <p>6 A. Usually -- usually there would be a lot of</p> <p>7 different reasons that you would go visit your</p> <p>8 manufacturer. Some would be to do quality control</p> <p>9 checks yourself and make sure that everything you're</p> <p>10 bringing is up to your specifications. Sometimes it</p> <p>11 would be to observe testing. Sometimes it would be to</p> <p>12 work prototyping new models. Work directly with the</p> <p>13 engineers face to face. There's a hundred different</p> <p>14 reasons why you would go to your factory.</p> <p>15 Q. But is it fair to say you don't recall</p> <p>16 going to -- do you recall going to factories -- whether</p> <p>17 you recall the name or not, do you recall going to</p> <p>18 factories in China regarding the manufacture of the</p> <p>19 Silent Adrenaline or Apache climber models?</p> <p>20 A. I don't recall specifically going to see</p> <p>21 any of those stands as a direct reason for going. I</p> <p>22 don't recall that.</p> <p>23 Q. Let me ask you this: Do you recall -- I</p> <p>24 know you don't have a lot of recollection of the design</p> <p>25 of the Silent Adrenaline, but do you recall any changes</p>
<p style="text-align: right;">Page 38</p> <p>1 A. The name Superman I know.</p> <p>2 Q. But not just the Superman who's allergic to</p> <p>3 Kryptonite, I suspect. You're familiar with the</p> <p>4 company?</p> <p>5 A. It's just an easy name to remember.</p> <p>6 Q. I gotcha.</p> <p>7 Have you had any dealings yourself with</p> <p>8 either one of those two companies? That you -- that</p> <p>9 you remember.</p> <p>10 A. I have been to the Superman factory.</p> <p>11 Q. Okay. Were you -- did you go to them while</p> <p>12 you were with AOG?</p> <p>13 A. Yes.</p> <p>14 Q. Do you remember the occasion for going</p> <p>15 there?</p> <p>16 A. We were -- we were working on something. I</p> <p>17 can't recall exactly.</p> <p>18 Q. But you don't recall ever visiting the</p> <p>19 other one I mentioned, Yangzhou Chaorui Auto Parts</p> <p>20 Company?</p> <p>21 A. I'm saying I don't know the name. I</p> <p>22 visited factories that I didn't particularly know their</p> <p>23 name.</p> <p>24 Q. Okay. Let me ask about that in terms of</p> <p>25 when you were -- when you owned the company X-Stand.</p>	<p style="text-align: right;">Page 40</p> <p>1 made to the design of the Silent Adrenaline during the</p> <p>2 period of time you were involved with AOG?</p> <p>3 A. The main thing I recall was the addition of</p> <p>4 some tether straps. There was two tether straps that I</p> <p>5 used on previous models and I knew they worked well so</p> <p>6 I -- I had them added to this model.</p> <p>7 Q. Okay. And was that -- when was that done?</p> <p>8 Was that done initially when the product was first</p> <p>9 produced or after it had been on line for awhile?</p> <p>10 A. I could not recall when it was done.</p> <p>11 Q. Okay. Do you recall if there was ever any</p> <p>12 change in the design or type of cable that was being</p> <p>13 used on the Silent Adrenaline or Apache?</p> <p>14 A. I don't recall any changes to that.</p> <p>15 Q. You don't recall any changes to that?</p> <p>16 A. No, I don't recall any.</p> <p>17 Q. And when you say that, I just want to</p> <p>18 clarify, does that mean there may have been but you</p> <p>19 don't recall or you believe that no changes were made?</p> <p>20 A. I would be speculating either way.</p> <p>21 Q. Okay. Well, let me ask you this: If</p> <p>22 changes were made in the cable and you are the product</p> <p>23 development person, would they have come through you?</p> <p>24 Would you have known about it? I'm not saying you</p> <p>25 remember now, but would it have been something that you</p>